

Title of Regulation **6 VAC 20-240. Regulations Relating to School Security Officers**

**6 VAC 20-240-10. Definitions**

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

“Approved instructor means a person who has been approved by the department to instruct in the School Security Officer training course.

"Approved training," means training approved by the department to meet compulsory minimum training standards.

“Approved training session,” means a training session that is approved by the department for the specific purpose of training school security officers.

"Board" means the Criminal Justice Services Board or any successor board or agency.

"Certification" means a method of regulation indicating that qualified persons have met the minimum requirements as school security officers.

"Compulsory minimum training standards" means the performance outcomes and minimum hours approved by the Board.

“Date of hire" means the date any employee of a school board or system is hired to provide security services for a school and whom the department must regulate.

"Department" means the Department of Criminal Justice Services or any successor agency.

“Director” means the chief administrative officer of the department.

"In-service training requirement" means the compulsory in-service training standards adopted by the Board for school security officers.

"School Security officer" means any person employed by the local school board for the purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies and detaining persons violating the law or school board policies on school property or at school sponsored events and who is responsible solely for ensuring the safety, security and welfare of all students, faculty and staff in the assigned school.

“This chapter” means the Regulations Relating to School Security Officers (6 VAC 20-240)

“Training certification,” means verification of the successful completion of any training requirement established by this chapter.

"Training requirement" means any entry-level or in-service training or re-training standard established by this chapter.

**6 VAC 20-240-20. Certification Through Training Required for all School Security Officers**

A. All school security officers must be certified through the successful completion of approved compulsory minimum training.

B. In order to obtain such certification, all school security officers employed as such on August 31, 2004 shall complete the approved training prior to the end of the 2004-2005 school year in their division. Every school security officer hired after September 1, 2004 is required to comply with the compulsory minimum training standards within 60 days of the date of hire as a school security officer.

C. The Board has approved a minimum 32-hour school security officer training course. Such training shall include but not be limited to:

1. the role and responsibility of school security officers,
2. relevant state and federal laws,
3. school and personal liability issues,
4. security awareness in the school environment,
5. mediation and conflict resolution,
6. disaster and emergency response, and
7. student behavioral dynamics

D. The department may grant an extension of the time limit for completion of the compulsory minimum training standards under the following documented conditions:

1. Illness;
2. Injury;
3. Military service;
4. Administrative leave involving the determination of worker's compensation or disability retirement issues, full-time educational leave or suspension pending investigation or adjudication of a crime; or
5. Any other reasonable situation documented by the employing school division superintendent.

**6 VAC 20-240-30. Initial Certification Requirements for Individuals employed as School Security Officers on or before August 31, 2004**

All school security officers in such office on or before August 31, 2004, are required to meet the following minimum requirements for certification. Such person shall:

1. Comply with compulsory minimum entry-level; and
2. Submit to the department a properly completed application for certification in a format provided by the department.

**6 VAC 20-240-40. Initial Certification Requirements for School Security Officers Hired on or after September 1, 2004**

A. In addition to meeting all the hiring requirements of the employing school board, all school security officers who enter upon the duties of such office after September 1, 2004, are required to meet the following minimum requirements for certification. Such person shall:

1. Be required to undergo a background investigation including fingerprint-based criminal history records inquiries to both the Central Criminal Records Exchange and the Federal Bureau of Investigation within 30 days of employment;
2. Not have been convicted of or pleaded guilty or no contest to a felony or any offense that would be a felony if committed in Virginia;
3. Have a high school education or have passed the General Educational Development exam or have passed the National External Diploma program;
4. Possess a valid driver's license if required by the duties of office to operate a motor vehicle;
5. Comply with compulsory minimum entry-level, in-service and re-training requirements; and
6. Submit to the department a properly completed application for certification in a format provided by the department.

B. All costs associated with the background investigation and submission of fingerprints for criminal history records inquiries to meet the hiring requirements of the locality are the responsibility of that locality.

**6 VAC 20-240-50. Certification**

A. Within 30 days after being notified by the instructor of the successful completion of training by the school security officer, the department will notify the applicant for school security certification and the Superintendent of the school division employing the school security officer that the school security officer is certified in accordance with this regulation.

B. If a school security officer seeking certification is denied by DCJS, the department will notify the Superintendent and the applicant by letter regarding the basis for the denial and the process for appeal of the decision to deny.

C. The department shall maintain a current database of certified school security officers as well as relevant training records.

D. Initial certification shall be for a period not to exceed twenty-four months.

**E. The department may delegate delivery of such training to approved instructors.**

**6 VAC 20-240-60. School Security Officer Standards of Conduct**

A school security officer shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department a valid mailing address. Written notification of any address change shall be submitted in writing to the department no later than 10 days after the effective date of the change.

3. Inform the department in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
4. Inform the department in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the school security officer statutes or regulations of that jurisdiction, there being no appeal, or the time for appeal having elapsed.
5. Not commit any act or omission that results in a school security officer certification being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
6. Not obtain a school security officer certification or certification renewal through any fraud or misrepresentation.
7. Notify the department within 10 calendar days following termination of employment.
8. Not engage in acts of unprofessional conduct in the practice of a school security officer.
9. Not engage in acts of negligent and/or incompetent conduct as a school security officer.

#### **6 VAC 20-240-70. Re-certification of school security officers**

A. Applications for certification renewal should be received by the department at least 30 days prior to certification expiration. The department will provide a renewal notification to the last known mailing address of the certified school security officer. However, if the individual does not receive a renewal notification, it is the responsibility of the individual to ensure renewal requirements are filed with the department. A valid certification as a school security officer is required in order to remain eligible for employment as a school security officer.

B. Applicants for re-certification must have completed 16 hours of in-service training during the 2-year period after initial certification. The in-service training must be school security officer related to include a legal update and other relevant topics approved by the department.

C. Individuals whose certification expires shall comply with the initial certification requirements set forth in this chapter.

1. The department, subject to its discretion, retains the right to grant an extension of the re-certification time limit and requirements under the following conditions:
2. Illness or injury
3. Military service
4. Special duty required and performed in the public interest
5. Leave without pay or suspension pending investigation or adjudication of crime
6. Any other reasonable situation documented by the employing school division superintendent

E. Requests for extensions:

1. shall be submitted in writing and signed by the school superintendent prior to the expiration date of the time limit for completion of the requirement; and
2. shall indicate the projected date for the completion of the requirement.

## **6 VAC 20-240-80. De-certification and appeal procedure**

A. Upon written notification from the employing school division that any certified school security officer has:

- (i) been convicted of or pled guilty or no contest to a felony or any offense that would be a felony if committed in Virginia, or
- (ii) failed to comply with or maintain compliance with compulsory minimum training requirements, or
- (iii) refused to submit to a drug screening or has produced a positive result on a drug screening reported to the employing school board where the positive result cannot be explained to the school board's satisfaction, or

the department shall decertify such school security officer. Such school security officer shall not have the right to serve as a school security officer within this Commonwealth until the department has reinstated the certification.

Upon written notification from the Superintendent that a school security officer has been terminated by the employing school board or locality, the department may, at its discretion, decertify the school security officer.

The findings and the decision of the department may be appealed to the Board provided that written notification is given to the attention of the Director, Department of Criminal Justice Services, 805 East Broad St., Richmond, Virginia 23219, within 30 days following the date notification of the decision was served, or the date it was mailed to the respondent, whichever occurred first. In the event the hearing decision is served by mail, three days shall be added to that period. (Rule 2A:2 of Rules of the Virginia Supreme Court.)

## **6 VAC 20-240-90 Initial instructor application**

A. The Department may approve instructors to deliver school security officer training and may revoke such approval for just cause.

B. Each person applying for certification, as instructor shall meet the minimum requirements for eligibility:

1. Be a minimum of 18 years of age; and
2. Have a high school diploma or equivalent (GED) or have passed the National External Diploma Program; and
3. Have a minimum of:
  - (i) three years management or supervisory experience as a school security officer or with any federal, military police, state, county or municipal law-enforcement agency in a related field; or

- (ii) five years general experience as a school security officer, or with a federal, state or local law-enforcement agency in a related field; and
4. Have instructor training or experience through one of the following methods:
- (i) have completed a DCJS instructor course within the three years immediately preceding the date of the application, or
  - (ii) have a minimum of one-year experience as an instructor or teacher at an accredited educational institution or agency in the subject matter for which certification is requested, or in a related field.
  - (iii) submits a waiver application form for review by the department outlining previous instructor training and/or experience, or
  - (iv) has provided instruction in a related field at an institution of higher learning or in a high school; and
5. Is currently certified as a school security officer by the department.

C. Each person applying for approval as instructor shall file with the department:

- 1. A properly completed application provided by the department;
- 2. Official documentation verifying that the applicant meets the minimum eligibility requirements pursuant to this section;
- 3. Official documentation verifying previous instructor experience, training, work experience and education for those subjects in which certification is requested. The department will evaluate qualifications based upon the justification provided.

D. Upon completion of the initial instructor application requirements, the department may issue an initial approval for a period not to exceed 24 months.

E. Each approval shall be issued to the individual named on the application and shall be valid only for use by that individual. No approval shall be assigned or otherwise transferred to another individual.

F. Each instructor shall comply with all applicable administrative requirements and standards of conduct and shall not engage in any acts prohibited by applicable sections of the Code of Virginia and this chapter.

**6 VAC 20-240-100. Renewal instructor application.**

A. Applications for renewal of approval as an instructor should be received by the department at least 30 days prior to expiration. The department will provide a renewal notification to the last known mailing address of the certified instructor. However, if the instructor does not receive a renewal notification, it is the responsibility of the instructor to ensure renewal requirements are filed with the department.

B. Each person applying for instructor approval renewal shall meet the minimum requirements for eligibility as follows:

- 1. Successfully complete the in-service training within 12 months, immediately preceding the expiration date of the current approval pursuant to the compulsory minimum training standards in this chapter; and
- 2. Be in good standing in the jurisdiction where approved as an instructor.

- C. The department may renew instructor approval for a period not to exceed 24 months.
- D. The department may renew instructor approval when the department receives a properly completed renewal application provided by the department
- E. Any instructor renewal application received by the department shall meet all renewal requirements prior to the expiration date of approval or shall be subject to the requirements set forth by the reinstatement provisions of this chapter.

**6 VAC 20-240-110 School Security Officer Training Instructor Standards of Conduct**

An instructor shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Maintain at all times with the department his mailing address. Written notification of any address change shall be in writing and received by the department no later than 10 days after the effective date of the change.
3. Inform the department in writing within 10 days after pleading guilty or nolo contendere or being convicted or found guilty of any felony or of a misdemeanor.
4. Inform the department in writing within 10 days after having been found guilty by any court or administrative body of competent jurisdiction to have violated the school security officer statutes or regulations of that jurisdiction, there being no appeal or the time for appeal having elapsed.
5. Not commit any act or omission that results in a school security officer certification or instructor approval being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
6. Not obtain a school security officer certification or instructor approval through any fraud or misrepresentation.
7. Conduct training sessions pursuant to requirements established in this chapter.
8. Notify the department within 10 calendar days following termination of his employment.
9. Not engage in acts of unprofessional conduct in the practice of an instructor.
10. Not engage in acts of negligent and/or incompetent conduct as an instructor.

**6 VAC 20-240-120. School Security Officer Instructor Administrative Requirements**

A. School security officer instructors shall ensure that training sessions be conducted in accordance with requirements established in this chapter. Adherence to the administrative requirements, attendance and standards of conduct are the responsibility instructor of the training session.

B. Administrative requirements:

1. In a manner approved by the department, an approved instructor must submit a notification to conduct a training session to the department. All notifications shall be received by the department, or postmarked if mailed, no less than thirty calendar days prior to the beginning of each training session to include the date, time, instructors and location of the training session. The department may allow a session to be conducted with less than thirty calendar days of

notification with prior approval. A notification to conduct a training session shall be deemed to be in compliance unless the department notifies the instructor to the contrary.

2. The instructor must submit notification of any changes to the dates, times, location or cancellation of a future training session to the department in writing and received by the department at least twenty-four (24) hours in advance of the scheduled starting time of the class. In the event that a session must be cancelled on the scheduled date, the department must be notified immediately followed by a cancellation in writing as soon as practical.

3. In a manner approved by the department, the instructor shall submit an original training completion roster to the department affirming each student's successful completion of the session. The training completion roster shall be received by the department within seven calendar days, or postmarked if mailed, no later than five business days following the training completion date.

4. An examination shall be administered at the conclusion of each module of the entry level training session. The examination shall be based on the applicable learning objectives. The student must attain a grade of 80% on each module.

5. Instructors will conduct training sessions utilizing lesson plans developed by the department including at a minimum the compulsory minimum training standards established pursuant to this chapter. Instructors must maintain accurate and current information on relevant laws and make changes to the curriculum. It is the instructor's responsibility to assure they have the most recent curriculum supplied by the Department.

6. Instruction shall be provided in no less than 50-minute classes.

7. A training session must adhere to the minimum compulsory training standards and must be presented in its entirety.

8. The instructor must maintain current files that include copies or electronic images of attendance records, a master final examination, pass/fail recording of examinations, training completion rosters, and training completion forms for each student for three years from the date of the training session in which the individual student was enrolled.

9. The instructor shall permit the department during regular business hours to inspect, review, or copy those documents or training records that are required to be maintained by the Code of Virginia and this chapter.

10. The instructor shall permit the department to inspect and observe any training session.

11. Mandated training conducted not in accordance with the Code of Virginia and this chapter is null and void.

#### C. Attendance.

1. School security officers enrolled in an approved training session are required to be present for the hours required for each training session.

2. Tardiness and absenteeism will not be permitted. Individuals violating these provisions will be required to make up any training missed. Such training must be completed within 60 days after the completion of the training session or at the next available session offered provided that it is held in the same school year. Individuals not completing the required training within this period may not be certified or re-certified and may be required to complete the entire training session.

3. Individuals that do not successfully complete the compulsory minimum training standards of the training session shall be reported to the department and will not be certified.

4. Each individual attending an approved training session shall comply with the regulations promulgated by the board and any other rules applicable to the session. If the instructor considers a violation of the rules detrimental to the training of other students or to involve cheating on examinations, the instructor may expel the individual from the session. The instructor shall immediately report such action to the employing locality and the department.

**6 VAC 20-240-130. Approval Authority.**

A. Statutory Authority

§ 9.1-102. Powers and duties of the Board and the Department.

The department, under the direction of the Board, which shall be the policy-making body for carrying out the duties and powers hereunder, shall have the power and duty to: Establish, in consultation with the Department of Education and the Virginia State Crime Commission, compulsory minimum standards for employment and job-entry and in-service training curricula and certification requirements for school security officers, which training and certification shall be administered by the Virginia Center for School Safety pursuant to § [9.1-184](#). Such training standards shall include, but shall not be limited to, the role and responsibility of school security officers, relevant state and federal laws, school and personal liability issues, security awareness in the school environment, mediation and conflict resolution, disaster and emergency response, and student behavioral dynamics. The department shall establish an advisory committee consisting of local school board representatives, principals, superintendents, and school security personnel to assist in the development of these standards and certification requirements; and perform such other acts as may be necessary or convenient for the effective performance of its duties.

B. The Board shall be the approval authority for the training categories, hours and performance outcomes of the compulsory minimum training standards. Amendments to training categories, hours and performance outcomes shall be made in accordance with the provisions of the Administrative Process Act (§9-6.14:1 et seq. of the Code of Virginia).

C. The Board shall be the approval authority for the training objectives, criteria and lesson plan guides that support the performance outcomes. Training objectives, criteria and lesson plan guides supporting the compulsory minimum training standards and performance outcomes may be added, deleted or amended by the Board based upon written recommendation of the School Security Officer Advisory Committee.

D. Prior to approving changes to training objectives, criteria or lesson plan guides; the Board shall conduct a public hearing. Sixty days prior to the public hearing, the proposed changes shall be distributed to all affected parties for the opportunity to comment. Notice of change of training objectives, criteria and lesson plan guides shall be filed for publication in the Virginia Register of Regulations upon adoption, change or deletion. The department shall notify each approved instructor in writing of any new, revised or deleted objectives. Such adoptions, changes or deletions shall become effective 30 days after notice of publication in the Virginia Register.

**6 VAC 20-240-140. Hearing process.**

The Board will hear and act upon appeals arising from decisions made by the director. In all case decisions, the Criminal Justice Services Board shall be the final agency authority.